

## REMARKS

Claims 1, 3, 7-11, and 15-20 are pending in the application. Claim 2 is cancelled. Claims 1, 7, 8, 9, 15, and 17 are amended. No new matter has been added. The Applicants submit that the cited references as discussed below fail to disclose, alone or combined, all of the features of the amended claims, and respectfully request the rejections be withdrawn.

### Rejections under 35 U.S.C. § 112

[a] [d] [e]. Claims 1, 9, and 17 are amended. The phrase "a first pinned magnetic layer and a second pinned magnetic layer" is replaced by "a first pinned magnetic sublayer and a second pinned magnetic sublayer". This is supported by FIG. 1 and [54] that the pinned magnetic layer 31 comprises a first pinned magnetic layer 31a and a second pinned magnetic layer 31c.

[b]. Claim 1 is amended. The phrase "the track width direction" is replaced by "a track width direction".

[c]. Claim 8 is amended. The word "wherein" is replaced by "when".

[f]. The base claims are amended to overcome the indefiniteness and so the dependent claims are allowable over the indefiniteness.

### Rejections under 35 U.S.C. § 103(a)

Claims 1, 7, 9, 10, and 15 stand rejected as being unpatentable over Nakatani (US 5,390,061) in view of Coffey (US 5,583,725).

Independent claims 1, 9, and 15 recite a CPP giant magnetoresistive with a pinned layer, "wherein the pinned magnetic layer comprises a magnetic material having a positive magnetostriction constant". Nakatani and Coffey fail to teach or suggest at least this limitation. Accordingly, claims 1, 9, and 15 are patentable for at least this reason.

Furthermore, claims 7 and 15 recite a CPP giant magnetoresistive with large-area nonmagnetic metal films, "wherein the large-area nonmagnetic metal films are in direct contact with the lower shield layer and the upper shield layer respectively". Nakatani and Coffey does not teach or suggest this limitation. Therefore, Applicants respectfully submit that claim 7 and 15 are allowable over the cited references.

Accordingly, Applicants respectfully submit that independent claim 1, 7, 9, and 15 are allowable over the cited references. Claims 3, 8, 10-11 and 16 are allowable at least by virtue of the fact that they depend from allowable independent claims, which are allowable.

### **Allowable Subject Matter**

The examiner suggests claims 17-20 would be allowable if rewritten to overcome the rejections under 35 U.S.C 112. Claim 17 is amended to overcome the indefiniteness and so is allowable. The dependent claims 18-20 are thus allowable.

### **Conclusion**

Based on the above remarks, Applicants respectfully submit that the claims are in condition for allowance. The examiner is kindly invited to contact the undersigned attorney to expedite allowance.

Respectfully submitted,

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